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Deliver to: Examiner Russell L. Guill, Art Unit 2123
 Firm Name: U.S. Patent & Trademark Office
 Fax Number: 571-273-8300
 From: Thomas S. Ferrill Operator: Anne Collette
 Date: March 3, 2006
 App. No.: 10/053,072
 No. of pages: 3 (including cover sheet)
 Client/Matter: 42P11135 Docket Date: 3/3/2006 Atty: JDS

Dear Examiner:

Please find the following document(s) attached:

- 1) Notice of Appeal (1 page in duplicate)

Thank you.

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By: <u>Anne Collette</u> Anne Collette	Date: <u>March 3, 2006</u>

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PTO/SB/31 (08-03)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 42P11135						
<p>I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.</p> <p>on <u>March 3, 2006</u></p> <p>Signature <u>Anne Collette</u></p> <p>Typed or printed name <u>Anne Collette</u></p>		<p>In re Application of Thomas M. Cronin</p> <table border="1"> <tr> <td>Application Number 10/053,072</td> <td>Filed October 26, 2001</td> </tr> <tr> <td colspan="2">For Particle Control Using a Path</td> </tr> <tr> <td>Art Unit 2123</td> <td>Examiner Russel L. Guill</td> </tr> </table>	Application Number 10/053,072	Filed October 26, 2001	For Particle Control Using a Path		Art Unit 2123	Examiner Russel L. Guill
Application Number 10/053,072	Filed October 26, 2001							
For Particle Control Using a Path								
Art Unit 2123	Examiner Russel L. Guill							
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$ 500.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed. <u>03/06/2006 TL0111 00000036 022666 10051072</u></p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <u>01 FC:1401 500.00 DA</u></p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2666</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>								
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor. <u></u> Signature Thomas S. Ferrill</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <u>408-720-8300</u> Typed or printed name Telephone number</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>42,532</u> <u>March 3, 2006</u> Registration number if acting under 37 CFR 1.34(a). <u>Date</u></p>								
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u> </u> forms are submitted.</p>								

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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